

Appln No. 09/637,846

Amdt date January 12, 2004

Reply to Office action of November 20, 2003

**REMARKS/ARGUMENTS**

Claims 1 and 3-9 remain in the present application, of which claim 1 is independent. Claim 2 has been canceled without prejudice. Claims 1, 8 and 9 have been amended herein. Applicants respectfully request reconsideration and allowance of claims 1 and 3-9.

In the Office Action, claims 1 and 3-9 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,592,631 ("Kelly et al."). Further, claim 2 has been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Kelly et al.

In rejecting claim 2, the Examiner admits that Kelly does not disclose the method further comprising assigning the master a MEDIUM priority level after the master requests a target. However, the Examiner takes an official notice that "assigning a MEDIUM priority level is well known in the art." The Examiner further states that "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the assigning the master a MEDIUM priority level into Kelly's system for rearranging the priority of the masters, since it has been held that rearranging parts of an invention involves only routine skill in the art."

Applicants respectfully submit that the present invention is a novel and unobvious method of assigning ownership of PCI bus. Applicants have incorporated the subject matter of claim 2 into claim 1, and further amended claim 1 for clarification. Claim 1 now recites, in a relevant portion, "identifying a target requested by a master; assigning the master a MEDIUM

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priority level after the master requests the target, wherein the master is inactive until the master asserts a request signal when the master wants to take control of the PCI bus; issuing a provisional grant to the master in response to the request signal; determining if data associated with the target is available; and assigning a first priority level for ownership of the PCI bus to the master if the data is not available and assigning a second priority level for ownership of the PCI bus to the master if the data is available."

As can be seen in claim 1 above, "the master is inactive [at the MEDIUM priority level] until the master asserts a request signal when the master wants to take control of the PCI bus." Further, "a provisional grant [is issued] to the master in response to the request signal." Applicants submit that Kelly et al. does not teach or suggest such method of assigning ownership of a PCI bus nor is such method obvious in view of the general state of the art. For example, there is no teaching or suggestion for "assigning the master a MEDIUM priority level after the master requests the target, wherein the master is inactive until the master asserts a request signal when the master wants to take control of the PCI bus" nor is there any teaching or suggestion for "issuing a provisional grant to the master in response to the request signal." Therefore, applicants request that the rejection of claim 1 be withdrawn and that it be allowed.

Since claims 3-9 depend from claim 1, they incorporate all the terms and limitations of claim 1 in addition to other limitations, which together further patentably distinguish them

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over the cited references. Therefore, applicants request that the rejection of claims 3-9 be withdrawn and that they be allowed.

In view of the foregoing amendments and remarks, applicants respectfully request allowance of claims 1 and 3-9 and an early issuance of a patent. If there are any remaining issues that can be addressed over the telephone, the Examiner is invited to call applicants' attorney at the number listed below.

Respectfully submitted,

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